

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,)
Plaintiff,) 2:06-cr-00113-LRH-GWF
vs.)
ALVARO ORTIZ, JR.,) ORDER
Defendant.)

Before the court is Defendant's Motion for Early Termination of Supervised Release (#27)¹. The Government has filed its Opposition (#29) and the court has received a report relevant to the pending motion from the Probation Office, which has been responsible for Mr. Ortiz's supervision since January 2006.

Mr. Ortiz was originally convicted of manufacturing and possession with intent to distribute marijuana, was sentenced to forty-six (46) months in prison and five (5) years of supervised release. He commenced his original term of supervised release in Reno in 2006. However, in 2008 he was cited and convicted for petty larceny in Reno. A violation report pertaining to his supervised release was presented to the court and Mr. Ortiz was given the benefit of an admonishment without the revocation of supervised release, and one hundred and fifty (150) hours of community service work. Thereafter, on March 18, 2009, only four months after having received the favorable treatment by the court due to his petty larceny conviction, Mr. Ortiz was found in Sonoma County, California, and arrested in possession of 71.22 pounds of

¹Refers to the court's docket number.

1 marijuana and 90.6 grams of marijuana seeds. He was convicted of transporting marijuana and
2 was sentenced to six (6) months jail and thirty-six (36) months probation. As a result of this
3 offense, his supervised release was revoked on August 5, 2009, and he was sentenced to twenty-
4 four (24) months imprisonment with a remaining term of thirty-six (36) months supervised
5 release. Supervised release was resumed in this district on May 27, 2011.

6 Although the court appreciates and respects the good conduct and intentions claimed by
7 Mr. Ortiz since the time of the recommencement of his supervised release, this is simply not a
8 case where early termination of supervised release is warranted.

9 Based upon the circumstances of the Defendant's history on supervised release, the
10 Defendant's motion (#27) is DENIED.

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12 || IT IS SO ORDERED.

13 || DATED this 25th day of March, 2013.

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**LARRY R. HICKS
UNITED STATES DISTRICT JUDGE**